

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ADIDAS AMERICA, INC., an Oregon
corporation; and ADIDAS AG, a foreign
entity,

Plaintiffs,

v.

THOM BROWNE, INC., a Delaware
corporation,

Defendant.

Civil Action No. 1:21-cv-05615-JSR-RWL

**NOTICE OF THOM BROWNE, INC.'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and the Southern District of New York Local Civil Rule 56.1, Defendant Thom Browne, Inc. (“Thom Browne”), hereby moves for summary judgment against Plaintiffs adidas America, Inc. and adidas AG (collectively “adidas”) dismissing all adidas’s trademark and unfair competition claims against Thom Browne on the basis that adidas’ claims are barred by laches.

The schedule for the motion, pursuant to this Court’s Civil Case Management Plan dated April 27, 2022 [ECF No. 48], is as follows: Thom Browne’s moving papers will be filed by October 21, 2022, and any papers to be submitted in opposition to Thom Browne’s motion must be filed with the Court and served upon counsel for Thom Browne on or before November 9, 2022. Thom Browne’s reply will be served upon counsel for Plaintiffs on or before November 18, 2022. Oral Argument shall be held on November 29, 2022, at 2:00 p.m.

Respectfully Submitted,

Date: October 21, 2022

/s/ Robert T. Maldonado

Robert T. Maldonado (RM-7873)
rmaldonado@wolfgreenfield.com
Tonia A. Sayour (TS-7208)
tsayour@wolfgreenfield.com
Aya Cieslak-Tochigi (AC-6268)
acieslak-tochigi@wolfgreenfield.com
WOLF, GREENFIELD, & SACKS, P.C.
605 Third Avenue, 25th Floor
New York, New York 10158
212.697.7890 Phone
617.646.8646 Fax

Bryan S. Conley (*pro hac vice*)
bconley@wolfgreenfield.com
Quincy Kayton (*pro hac vice*)
qkayton@wolfgreenfield.com
WOLF, GREENFIELD, & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
617.646.8000 Phone
617.646.8646 Fax

Harley I. Lewin (HL-1819)
LEWINCONSULT, LLC
72 Commercial Street #5
Portland, Maine 04101
Harley@LewinConsult.com
207-805-6884 Phone

Attorneys for Thom Browne, Inc.

CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ Robert T. Maldonado

Robert T. Maldonado